

CONGRESS SAYS 'CONSPIRACY'

*Will we confront
the real assassins?*

A great deal has been learned in the past 16 years about the people who had the means, motive and opportunity to murder President John F. Kennedy. Most of the information in the story that follows was known in the first days and months following the assassination. Some of it was known months prior to Kennedy's death.

Partially because the official investigation, the Warren Commission, has failed to convince an overwhelming majority of Americans that Kennedy's killing was carried out by a lone individual, Congress ordered a special investigation into the work of various law enforcement and intelligence agencies charged with providing the commission with information. The new committee, the House Select Committee on Assassinations, has now completed its investigation and is scheduled to release its findings within the next month.

The final report has been previewed by legislators and critics of the Warren Commission. What follows is a scenario based on information presented to the HSCA and contained in its report. It is based largely on evidence of a circumstantial nature. It is evidence, nevertheless, that has forced the committee members into an assertion that runs counter to their most conservative political instincts:

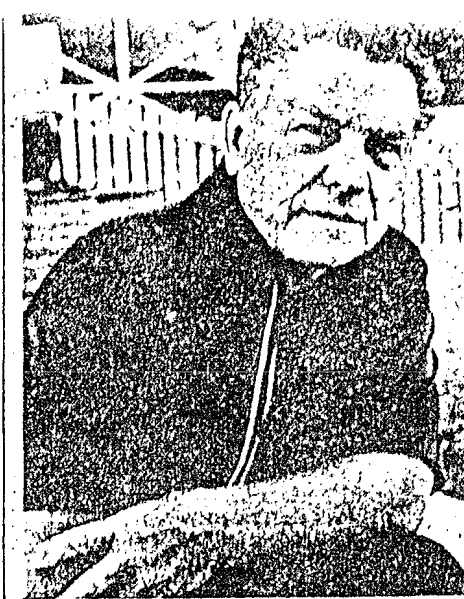
That John Kennedy was murdered at the hands of a conspiracy.



CARLOS MARCELLO Marcello is the undisputed godfather of the South. In his estate in New Orleans he controls a syndicate of heroin smuggling, prostitution, gambling and a host of legitimate businesses that gross well over a billion dollars a year. Marcello was indicted and forcibly deported by Robert Kennedy in 1961.



SANTOS TRAFFICANTE JR. During the heyday of the underworld's drug smuggling and casino operations in Cuba, Trafficante maintained close contact with casino operators, Cuban politicians and lower echelon hoods, such as Jack Ruby of Dallas. In September of 1962 Trafficante told an FBI informant that JFK was "going to be hit."



JIMMY HOFFA Hoffa's imprisonment had been a public obsession with the Kennedys throughout the '50s and '60s. In August of 1962 Hoffa was considering two plans to murder Robert Kennedy. Marcello and Trafficante contributed money and influence to have Hoffa released from prison in 1971. The former president of the International Brotherhood of Teamsters vanished off the streets of Detroit in the summer of 1975.

Brian Lambert

At the moment John Kennedy is being murdered in a crossfire on the streets of Dallas, Carlos Marcello was standing before a judge in New Orleans' District Court. Marcello, referred to as "the Little Man," was and is one of the three most powerful figures in organized crime. His empire, based in New Orleans, stretches across the deep south and includes Dallas. According to the head of the New Orleans Crime Commission, Marcello's criminal activities annually bring in something in excess of \$1.1 billion in Louisiana alone. Accompanied by an assistant, David Ferrie, Marcello was annoyed but not particularly concerned about whatever verdict the judge might hand down.

As the undisputed leader of the Mafia in the South, Marcello

"The Warren Commission represented in many ways the best of our society. They studied the case as best they could, arrived at their judgments in good faith and were fundamentally wrong on the conspiracy question."

—chief counsel G. Robert Blakey

answered to no one. His empire overlaps amicably with that of Santos Trafficante Jr. in Tampa, Florida. Marcello and Trafficante had run a thriving heroin importation business together for years operated out of Havana, Cuba.

During the 1950s Cuba was being groomed as a new, tax-free Las Vegas. A strip of dazzling casinos and a night life saturated with prostitutes, drug peddlers and mobsters was being nurtured under the unseeing eyes and well-paid government of Cuba's president, Fulgencio Batista. For all

intents and purposes, the Mafia controlled the island. The gambling and heroin smuggling activities sponsored by Marcello, Trafficante and the *capo di capo* of all organized crime, Meyer Lansky, overwhelmed any other legitimate Cuban industry. By 1958 the casinos alone were netting the mobsters \$100 million a year. Needless to say, very little of the money was being pooled back into the Cuban society. A revolution was inevitable.

On New Year's Eve 1959, Fidel Castro overthrew Batista and

began a systematic expulsion of the American criminal element. Marcello, Trafficante and their friends—men like Sam Giancana, head of the Chicago mob and Jimmy Hoffa, leader of the International Brotherhood of Teamsters, were upset. All of them had heavy investments in the Cuban casinos. There was nothing to do but retreat to the mainland, to Florida—and New Orleans in particular—and plot revenge.

The late '50s were still the era of the Cold War. Protecting America

from communism was the sort of crusade no politician could harm himself by leading. Some were more zealous than others.

In the final months of the Eisenhower Administration, the CIA, under the direction of Allen Dulles, began discussing various plans to assassinate Castro. Santos Trafficante was given a call. In Florida, under Trafficante's influence, lived thousands of virulently anti-Castro Cuban exiles; any one of whom would gladly put a bullet through the new dictator's skull. Through the Mafia the CIA could kill Castro and avoid direct involvement.

At the same time, Richard Nixon, then vice-president and already campaigning for the presidency, suggested to the CIA that it might be wise to commit a limited number of American

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luring the Mafia to expand to Cuba, away from the harassment they were feeling in Las Vegas. (Robert Kennedy's announced goal was to crush the mob at its heart—in Nevada.) With the Kennedys in power, the war on organized crime escalated dramatically. During the last year of the Eisenhower Administration there had been 40 indictments of underworld figures. By the end of the first year of JFK's term, that number had risen to 100, and by the time Robert Kennedy left office in 1964 the number stood at 2300.

Carlos Marcello, Santos Trafficante and Jimmy Hoffa were all under indictment by the Kennedys' Justice Department.

A crucial moment in the rela-

vegetables, but eight days after his abrupt deportation the Kennedys had reneged on their promise to support the exile's invasion of Cuba.

John Kennedy had always been uneasy about the plan to liberate Cuba. It depended too much on uncontrollable forces, in particular the Cuban exiles and the soldiers of fortune the CIA was fond of using in covert operations. (Frank Sturgis was such a soldier, and later found fame as one of the five Watergate burglars. Sturgis had originally fought alongside Castro during the revolution. Castro rewarded him by naming him "Superintendent of Games of Chance," or gambling inspector,

militia. The Cuban exiles suffered heavy losses and cursed Kennedy for betraying their cause. Kennedy went on national television the following day and assumed full blame for the fiasco. It was a major political setback for him. Privately, he swore to "crush the CIA into a thousand pieces." It was beyond his power to do so.

With the invasion thwarted, Marcello, Trafficante, Lansky and the rest realized there was little hope of regaining control of their Cuban operations. Compounded with the fact that their American holdings were under unprecedented pressure from the Justice Department, the time was right to strike back.

In September of 1962 Marcello convened a meeting of his lieutenants at his estate, Churchill Farms, in New Orleans. It was at this meeting that an associate told investigative reporter Ed Reid that Marcello swore an oath against the Kennedys, "Livarsi na pietra di la scarpa," which means "Remove the stone from my shoe." In this instance there is no way to be certain of the informer's truthfulness. However, less than a month later Jose Aleman, a fairly well-to-do Cuban exile, Miami motel owner and a man regarded by the FBI as a reliable source of information, had a conversation with Santos Trafficante.

"Have you seen how his brother is hitting Hoffa," Trafficante is reported to have said about the president, "a man who is a worker, who is not a millionaire, a friend of the blue collars? He [Kennedy] doesn't know that this kind of an encounter is very delicate. Mark my word, this man Kennedy is in trouble, and he will get what is coming to him."

Aleman says he told Trafficante that he disagreed. He thought that Kennedy seemed quite likely to win reelection.

"No Jose," Trafficante said, "he is going to be hit."

Aleman reported this in detail to the FBI within days, in September of 1962. The FBI did not act. Under J. Edgar Hoover the FBI's official opinion of organized crime was that "it doesn't exist."

Aleman continued reporting his meetings with Trafficante to the FBI through September of 1963. Several hours after Kennedy was murdered, two FBI agents arrived at Aleman's house. They wanted a great deal more information about Santos Trafficante.

"They wanted to know more

Ruby's visits with Trafficante while the Tampa godfather was briefly imprisoned in Cuba and Ruby's association with the Teamsters' interests in Texas and the Caribbean puts Ruby's murder of Oswald into a provocative new light.

relationship between organized crime and the Kennedys came on April 4, 1961. Carlos Marcello was walking down a New Orleans street, on his way to the U.S. Immigration Office. Officially a Guatemalan citizen, Marcello was required to make periodic visits. At 5'4" Marcello is hardly the sort of man who stands out in a crowd. Nevertheless, several agents of Robert Kennedy's Justice Department recognized him. The men jumped from a car and grabbed Marcello. After a brief scuffle the 51-year-old crime czar was handcuffed and thrown into the back of their idling car. With no formalities, Marcello was driven to a nearby airport and put aboard a chartered plane with him as the lone passenger, and flown into exile in Guatemala. During his stay Marcello was treated like a visiting potentate.

He waited for two months before arranging for David Ferrie to fly him via private plane back to New Orleans. The Little Man was enraged. Not only had he been treated like a bag of rotten

during the period immediately following the overthrow of Batista. Sturgis used the opportunity to ingratiate himself with such men

as Lewis McWillie, manager of Havana's Tropicana Casino and a close friend and frequent host to a small time Dallas hood named Jack Ruby.)

As much as John Kennedy is said by his aides and contemporaries to have abhorred the idea of a Cuban invasion by half-crazed exiles, the Cold War situation was such that he had to act aggressively against Communism. The plan to invade the Bay of Pigs was virtually a *fait accompli* when Kennedy was inaugurated. Kennedy assented, giving implicit agreement to provide Marine and air support. He didn't. His indecisiveness cost him dearly.

The Bay of Pigs invasion was blunted on the beach by Castro's

and more," Aleman has told author George Crile. "I finally had to tell them that he [Trafficante] didn't say he was going to do it. He just said Kennedy was going to be hit."

Trafficante and Aleman were summoned last November by the House Select Committee on Assassinations to explain their conversations.

Aleman, expressing fear for his life, said he no longer interprets the term "hit" to mean Kennedy was marked for murder. He is still alive in Miami today. Trafficante tersely denied any foreknowledge of JFK's assassination.

A month before Marcello swore his oath and Trafficante told of a planned "hit," Jimmy Hoffa had a conversation with an aide named Ed Partin. Hoffa was mulling over two separate plans to murder Robert Kennedy.

The first was straight out of a James Bond film. A rocket would be launched into the fashionable Hickory Hills estate RFK owned outside Washington. Hoffa took satisfaction in knowing that even if Kennedy survived the explosion, the resulting fire would burn "him and all his damn kids to cinders."

The second was more subtle. Hoffa told Partin that Robert Kennedy would be shot from some distance away and that a single gunman would be employed, an assassin with no traceable links to Hoffa or the Teamsters.

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The "ideal setup," Hoffa explained, would be "to catch (Robert) Kennedy somewhere in the south." The "ideal time" would be when Kennedy was driving his convertible.

"Somebody needs to bump that son of a bitch off," Partin claims Hoffa told him.

It is not known for certain where Santos Trafficante was the moment John Kennedy was ambushed in Dealey Plaza. Jimmy Hoffa was overseeing a Teamsters meeting in Miami.

When asked for his reaction to the assassination Hoffa said, "Bobby Kennedy's just another lawyer, now." Carlos Marcello made no recorded comment. He rarely speaks publicly. The judge in Marcello's case on the afternoon of November 22, 1963, found Marcello innocent—of possessing a fraudulent birth certificate.

The story is based on circumstantial evidence. But it is evidence and it is not new. And, it is important to remember, the Warren Commission, for all its pomp and ceremony, based its conclusion on nothing more than circumstantial evidence. For nearly 20 years the associations and motivations have been at least known, if not obvious, to anyone with a

remote interest in the power of organized crime in the United States.

In 1976, the House Select Committee on Assassinations was created to reexamine the work of the FBI and the CIA as well as Texas and Dallas law enforcement agencies. The committee (HSCA) was asked to determine whether any agency withheld or in any way obstructed the Warren Commission's investigation. The committee has no alternative but to state that the FBI and CIA seriously impeded the work of the Warren Commission.

Next month the HSCA, a group of nine cautious men, five Democrats and four Republicans, will release their conclusions based on two years of hearings, scientific tests and compilation of circumstantial data. They have no alternative but to conclude that assassination of John Kennedy was the result of a conspiracy.

The committee has learned of a harsh reality. It is at this moment weighing how the public will react to the evidence. The obvious conclusion is that popular leaders (the death of Martin Luther King, the HSCA will conclude, was also the result of a "limited conspiracy") have been murdered, not by lone nuts acting irrationally, but by people who exercise vast control over our political and economic system.

The HSCA's investigation was not a formal one; it had limited power and finances. What evidence it acquired has been circulating around the JFK case since

1963. Basically, the HSCA opened itself to the available information.

Within the HSCA are people who understood the implications of what men like Carlos Marcello, Santos Trafficante and Jimmy Hoffa were saying, and what they were capable of doing. The committee and others were aware that the HSCA was (is) perhaps the last chance for some time to conduct a full-scale investigation of the most significant murders of our time. To others, assassinations

and conspiracies have become "boring," "silly," "tiresome" topics—perhaps because there has been no resolution. Perhaps because privately most people know what happened and would rather not think about it. Truly, it is an evil force we fear.

When the HSCA was formed in the fall of 1976 a Gallup Poll was conducted to determine the public's opinion of the "single assassin" theory put forward by the Warren Commission. Eighty percent of the American public

thought there were others involved in the plot. Eleven percent believed Oswald acted alone. Nine percent had no opinion. Yet, there was no popular cry for a new investigation.

During the first months of its investigation the HSCA survived a series of embarrassing internal wrangles. Its original chairman, Henry Gonzalez, a Texas Democrat who was riding in the motorcade that day in Dallas, nearly came to blows with the committee's chief counsel, a Philadelphia attorney named Richard Sprague. Both men resigned. Louis Stokes, a Democrat from Ohio, was appointed to the chairmanship, and G. Robert Blakey assumed the role of chief counsel.

It was Blakey who demanded that the only evidence to be held valid was conclusive, scientific information. Everything of a circumstantial nature, he said, was meaningless without at least one piece of hard data. If a conspiracy did exist, and if it was to be enthusiastically investigated by Congress, the committee would have to provide such a piece of evidence.

Among the congressmen and their assistants it was generally assumed that no such evidence existed. Thirteen years had

passed. It was highly improbable that a gun was still smoking after all that time.

They were startled to hear that they were wrong.

Blakey, and the HSCA, had employed the acoustic laboratory of Bolt, Beranek and Newman (BB&N), a Cambridge, Massachusetts, firm that had been used by earlier federal investigations into the Kent State shootings and the 18½ minute gap on one of Richard Nixon's crucial tapes. Last September, BB&N reported that the odds were "50-50" that the sound of a fourth shot was detectable, from the so-called grassy knoll. BB&N was suggesting hard evidence of a conspiracy. The HSCA ordered a second opinion.

In late December, during the final week of the investigation,

two professors from Queens College in New York, Mark Weiss and Ernest Aschkenasy, brought their opinion before the committee: there were four shots at the president's limousine. The first and second came from the rear, the third came from the front and to the right—from the grassy knoll—and the fourth, again, from the rear. Of this Weiss and Aschkenasy were "95 percent certain."

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Contrary to the claims of critics of the acoustical evidence, the tests that BB&N and the two professors ran did not rely on technologies or equipment of recent invention. In 1963, the Warren Commission could have performed the same tests on the now famous dictabelt recording.

That recording was produced by a transmitter stuck in the "on" position attached to the motorcycle of Dallas police officer H. P. McLain as he rode 120 feet behind Kennedy's car. Tests were run to verify the location of the tape and rifle positions, including restaging of the gunfire in Dealey Plaza, last August. The conclusion is, according to passages of the HSCA's final report that have been read, "a second gunman in fact fired at the president."

As a political entity the committee will peddle the involvement

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of Marcello, Trafficante and Hoffa as softly as it can. There is no hard evidence to convict them, as far as we know now.

In *On Conspiracy*, a chapter from the final report shown to various critics and government officials, the committee will state that it has discovered information worthy "of investigative seriousness," and that the Warren Commission's no-conspiracy finding "cannot be given independent weight."

The HSCA will add that the Commission's investigation into

dence discovered by the HSCA concerns Oswald's association, in New Orleans in the fall of 1963, with David Ferrie, Carlos Marcello's pilot and all-around handy man. Ferrie and another Marcello

associate, Guy Banister, had something to do with Oswald's one-man charade as a "Fair Play for Cuba" pro-Castro rabble rouser, a guise that has always defied credibility.

In the case of Jack Ruby, the HSCA has developed perhaps the most compelling drama. Ruby's

With the Kennedys in power, the war on organized crime escalated dramatically. During the last year of the Eisenhower Administration there had been 40 indictments of underworld figures. By the time Robert Kennedy left office in 1964 the number stood at 2300.

the possibility of a conspiracy was "seriously flawed" and that Earl Warren and his counterparts were "in fact wrong" about the association between Jack Ruby and Lee Harvey Oswald.

The HSCA will run into another torrent of criticism by declaring that Oswald was a true defector to the Soviets (you will remember he spent two years in Minsk, USSR) and that he was a sincere pro-Castro leftist. Within its own report the HSCA will have to provide significant evidence to the contrary.

The most important new evi-

visits with Trafficante while the Tampa godfather was briefly imprisoned in Cuba after the revolution, and Ruby's association with the Chicago-Detroit Teamsters interests in Texas and the Caribbean puts Ruby's murder of Oswald into a provocative new light.

Ruby had a long history of activity with the mob in Chicago before moving to Texas in the late '40s. His contact did not abate while in Texas. At some time

during the 16 plus years that Ruby operated his night clubs in Dallas he was involved with virtually every influential mobster in the country, including what seems to have been a visit by no less a personage than Meyer Lansky himself, under an assumed name, in 1960.

Of critical importance is Ruby's association with the Dallas police. The HSCA will state in one of its most uncompromising paragraphs that "Ruby's shooting of Oswald was not a spontaneous act and that it involved at least some elements of premeditation."

"It is highly unlikely," the report continues, "that Ruby entered the police basement without assistance."

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The assassination of John Kennedy was a crucial event in the lives of everyone alive today, whether we remember that day or not. The murder was frightening in that it demonstrated the vulnerability of even our most esteemed democratic symbols. What has not been given serious consideration is that apathy, cynicism and distrust of government's power and motives was fueled by the Warren Commission's blatantly inadequate investigation.

"The Warren Commission itself represented in many ways the best of our society," the committee's chief counsel, G. Robert Blakey, said recently in a speech

to the Cornell University Law School Alumni meeting in New York. "The Chief Justice was its chairman, lawyers who are today in all of the major firms in the United States served on that commission. All of them served ably and well. They studied the case as best they could, arrived at their judgments in good faith, and *were fundamentally wrong on the conspiracy question* [italics added].

"And they made what in my judgment was a serious mistake. They stated their judgment in such a way as they mistrusted the American people. They should have said, 'We've done the best we could. We know who shot the president. We're not sure whether others were involved.' And then trusted it to the maturity of the American people to accept it as such. They didn't and let enter out society a kind of poison that has run through the body politic since."

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The Warren Commission was compromised through serious obstruction by the FBI and CIA. Still, this is something that can be understood, as calamitous as it is. Politicians are by nature cautious people whose careers are more often than not dependent on maintaining stability in society, regardless of the cost. It is not surprising that they would choose to emphasize John Kennedy's death as the work of a lone, psychotic killer. In 1963-'64 such a conclusion was less inflammatory than suggesting an American president had been the victim of a Mafia hit.

What is surprising and disheartening has been the attitude maintained to this day by the American press. While 80 percent of the population challenges the accuracy of the Warren Commission's lone assassin theory, by the most conservative estimates 80 percent of the editorial boards in this country have been steadfastly indifferent toward evidence suggesting a conspiracy. Consequently, the reporting of America's newspapers and electronic media has been consistently inaccurate and misleading.

In this post-Watergate atmosphere of self-congratulation it seems reasonable for the American press to account for its disinterest in the power of organized crime.

As Daniel Schorr, the respected television reporter formerly of CBS news, told the *Reader* last fall, investigating the assassination of political leaders was not something that interested him. Said Schorr, "I like stories that are ascertainable." □

Next Week—Part II—Media Indifference to Assassination Evidence.